

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

-v-

RAJAT K. GUPTA,

Defendant.

x

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x

11 Cr. 907 (JSR)

ORDER

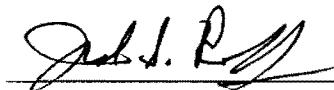
JED S. RAKOFF, U.S.D.J.

The Court is in receipt of a letter from Michael Rothfeld of the Wall Street Journal asking to inspect the letters received by the Court in connection with the forthcoming sentencing of Mr. Gupta. In line with the Southern District's rules against filing correspondence, the Court has not docketed such letters but maintains them in Chambers.

However, it is the long-standing policy of this Judge that, should a member of the media ask to come to Chambers to inspect or copy such letters, the Court honors such a request unless, as to any given letter, there is an overriding reason to keep it private. Thus, for example, in connection with the recent sentence in United States v. Lipsky, 11 Cr. 300 (JSR), where such a request was received, the Court allowed members of the media to inspect and copy 46 of the 52 letters received, but kept confidential six letters that the Court determined contained private information deserving confidential treatment.

Pursuant to this policy, the Court contacted counsel of record for the Government and the defendant, asking each to inform the Court whether he wished to seek confidential treatment of certain of the letters submitted to Chambers as well as the grounds for doing so. Counsel for Mr. Gupta responded to the Court's request by requesting confidential treatment of one letter and redaction of two others. Having considered the reasons offered in support of the proposed confidential treatment, the Court grants defendant's requests with respect to all three letters. The Court further authorizes inspection of the sentencing letters by Mr. Rothfeld (and any other authorized media representatives requesting same), with the aforementioned exceptions regarding the letter that will remain confidential and the two letters that are redacted.

SO ORDERED.



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JED S. RAKOFF, U.S.D.J.

Dated: New York, New York  
October 12, 2012